



DEPARTMENT OF ENVIRONMENTAL QUALITY

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New Orleans plant owner and his company sentenced on environmental crimes in St. James Parish

BATON ROUGE – A New Orleans man, who owned a now closed waste water treatment facility in Vacherie, was sentenced yesterday on one count involving violations of his facility's Louisiana Pollution Discharge Elimination System permit. Armant Environmental Services, LLC (AES), pled guilty to three counts involving violations of its facility's Louisiana Pollution Discharge Elimination System permit.

Charles Earnest Toth, Jr., 46, owner and president of AES, also plead guilty to operating his facility in a manner that allowed for an illegal discharge. AES plead guilty to allowing for the illegal dumping of untreated wastewater on the ground, bypassing proper treatment by breaking a pipe and failing to operate and maintain a proper treatment system.

Toth was arrested by DEQ's Criminal Investigation Division in June 2009, after a lengthy investigation by DEQ-CID, the Louisiana Environmental Crimes Task Force and DEQ civil inspectors found that AES was routinely dumping loads of untreated wastewater on the ground, thereby bypassing the treatment facility at AES. DEQ staff took soil samples on the property and determined there were chemicals related to oil and petroleum products around broken pipes on the ground.

Judge Alvin Turner, Jr., of the 23rd Judicial District Court of Louisiana, sentenced AES sentenced on 3 separate counts to pay \$150,000 in total fines. AES was also levied with special conditions of probation to pay \$15,000 to DEQ for costs of its investigation, along \$10,000 to Keep Ascension Beautiful; \$10,000 to Keep St. James Beautiful; and \$10,000 to Keep Assumption Beautiful. AES was placed on supervised probation for five years and ordered to remediate the site to the satisfaction of DEQ. Toth was sentenced to pay a \$5,000 fine and two years of unsupervised probation.

"DEQ will continue to aggressively prosecute any facility representative who willfully and knowingly chooses to dump untreated wastewater in order to avoid the environmental and legal responsibilities clearly mandated in their discharge permit," said DEQ Secretary Peggy Hatch. "Facility owners and representatives whose business practices serve to violate drinking water protection regulations will be investigated and prosecuted to the fullest extent of the law."

The case was prosecuted by District Attorney Ricky Babin of the 23rd Judicial District's District Attorney's Office and DEQ-CID Attorney Mike Daniels, in his capacity as a Special Assistant District Attorney.

The mission of the Louisiana Department of Environmental Quality is to protect the environment and public health. Any persons with knowledge of any spills, releases, odors, fish kills, open burning, waste tires and any other types of environmental incidents may contact DEQ at 225-219-3640 or Toll Free 1-888-763-5424.